

1 Guido Saveri (22349)  
guido@saveri.com  
2 R. Alexander Saveri (173102)  
rick@saveri.com  
3 Geoffrey C. Rushing (126910)  
grushing@saveri.com  
4 Cadio Zirpoli (179108)  
cadio@saveri.com  
5 SAVERI & SAVERI, INC.  
706 Sansome Street  
6 San Francisco, CA 94111  
Telephone: (415) 217-6810  
7 Facsimile: (415) 217-6813

*Interim Lead Counsel for the Direct Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION**

Master File No. 3:07-cv-05944 SC

MDL No. 1917

This Document Relates To:

### **Direct Purchaser Class Action only**

**[PROPOSED] ORDER APPROVING  
PAYMENT OF EXPENSES FROM PHILIPS  
SETTLEMENT FUND**

1           WHEREAS, Direct Purchaser Class Plaintiffs (“DPPs”) and Defendant Koninklijke  
2 Philips Electronics, N.A. and related companies. (“Philips”) entered into a settlement agreement as  
3 of February 1, 2012;

4           WHEREAS, among other things, the settlement required Philips to pay the DPPs  
5 \$15,000,000 in return for a release of claims;

6           WHEREAS, in addition, the settlement agreement provides:

7           Following final approval of this Agreement by the Court, Class Counsel may use, subject to  
8 prior approval of the Court, up to \$500,000 of the Settlement Fund for expenses incurred  
for the prosecution of the action on behalf of the Class against non-settling defendants.

9           Philips Settlement Agreement, ¶19(c).

10          WHEREAS, the settlement was preliminarily approved by the Court on May 3, 2012.

11          (Order Granting Settlement Class Certification and Preliminary Approval of Class Action  
12 Settlements With CPT and Philips) (Dkt. No. 1179);

13          WHEREAS, the notice of the settlement given to the class provided (at page 5), *inter alia*:  
14          Finally, the settlement provides that \$500,000 of the settlement fund, subject to Court  
15 approval, may be used to pay expenses incurred in the litigation for prosecution of the  
action on behalf of the purported class against non-settling defendants.

16          WHEREAS, after notice of the terms of the settlement was given to the Class as ordered by  
17 the Court, the Court finally approved the settlement on October 19, 2012. (Order Granting Final  
18 Approval of Class Action Settlements with CPT and Philips) (Dkt. No. 1362);

19          WHEREAS, the Order Granting Final Approval of Class Action Settlements with CPT and  
20 Philips is now final.

21          IT IS HEREBY ORDERED that:

22          Interim Lead Counsel for the DPPs may withdraw up to \$500,000 from the Philips  
23 Settlement Fund Escrow Account to pay expenses incurred in this litigation. The balance of the

24 //

25 //

26 //

27 //

28 //

1 settlement fund shall remain in the escrow account to be distributed upon further Court Order.  
2 Interim Lead Counsel for the DPPs shall provide the Court with an accounting of all expenses paid.  
3

4 **IT IS SO RECOMMENDED.**

5  
6 Dated: December 11, 2012

  
7 Hon. Charles A. Legge (Ret.)  
8 Special Master

9 **IT IS SO ORDERED UPON THE RECOMMENDATION OF THE SPECIAL MASTER**

10 Dated: December 27, 2012

  
11 Hon. Samuel A. Conti  
12 UNITED STATES DISTRICT JUDGE

13 Crt.579

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28